## REMARKS

Claims 1-24, 32-43, 51-77, 85-90, 92-105, 112-123 and 164 stand rejected.

Claims 17, 18, 23, 24, 98, 99, 104, 105, 120 and 121

The Office Action at page 6 states that Chen makes up for the teaching deficiencies of Meador in view of Gorsuch and further in view of Janc. However, Applicants respectfully submit that one of ordinary skill in the art as pertains to Meador, Gorsuch and Janc would not have looked to Chen to make up for teaching deficiencies. Applicants respectfully submit that, while Meador, Gorsuch and Janc relate to communications using an antenna, Chen relates to "systems that allow multiple plesiochronous digital hierarchy payload data streams to be synchronously communicated using *fiber optical* transceivers". Chen at col. 1, lines 7-10 (italics added). Applicants respectfully submit that one of ordinary skill in the wireless communication arts of Meador, Gorsuch and Janc would not look to an invention relating to multiple plesiochronous digital hierarchy payload data streams of fiber optic systems. Applicants respectfully submit that one of ordinary skill in the wireless communication arts of Meador, Gorsuch and Janc looking to modify, for example, a clock frequency used in, for example, downconversion and/or upconversion would not look to a wireline invention that removed "the need to perform stuffing and de-stuffing of the data streams" in a fiber optics system. See, e.g., Chen at Abstract. Applicants respectfully submit that Chen was improperly combined with Meador, Gorsuch and Janc.

Applicants also respectfully draw the attention of the Examiner to the fact that these claims depend from other claims. This affects the interrelationship of the components beyond merely the elements recited in claims 17, 18, 23, 24, 98, 99, 104, 105, 120 and 121.

Claims 17, 18, 98, 99, 120 and 121 may relate, for example, to a clock having a clock frequency equal to $f_{VCO}(N+1)/N$ that is used, for example, for downconversion. Although FIG. 5 of Chen relates to TAXI transmitter 314, FIG. 6 relates to TAXI receiver 406. Applicants respectfully submit that FIG. 6 does not illustrate downconversion using a clock with a frequency equal to $f_{VCO}(N+1)/N$. For at least the above reasons, the cited documents including Chen does not present a *prima facie* case of obviousness with respect to claims 17, 18, 98, 99, 120 and 121.



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Claim 23, 24, 104 and 105 may relate, for example, to a clock having a clock frequency equal to $f_{VCO}(N+1)/N$ that is used, for example, for upconversion. Since FIG. 5 illustrates variables K and N, how can the Examiner be sure that values are chosen for K and N so as to make an upconversion? Furthermore, according to FIG. 5, if the "Clock" input to the TAXI Transmitter 314 allegedly has a frequency of $f_{VCO}(N+1)/N$, that implies that the "Divide By N" 328 is the VCO for the transceiver. Does the alleged Chen transceiver support such an interpretation? Is the output of the "Divide By N" 328 used throughout any alleged Chen transceiver as a VCO? Applicants respectfully note that Chen does not even mention a VCO. For at least the above reasons, the cited documents modified by Chen does not present a *prima facie* case of obviousness with respect to claims 23, 24, 104 and 105.

Since it appears that the alleged clock in Chen having a frequency equal to $f_{VCO}(N+1)/N$ is not used by both the TAXI transmitter 314 (FIG. 5) and the TAXI receiver 406 (FIG. 6), then the teachings of Chen would fundamentally change the operation of the Meador chip architecture. M.P.E.P. § 2143.01(VI)("[i]f the proposed modification or combination of the prior art would change the principle of operation of the prior art invention being modified, then the teachings of the references are not sufficient to render the claims *prima facie* obvious").

Finally, as stated above, Chen does not even mention a VCO. Accordingly, Applicants respectfully submit that one of ordinary skill in the art would not look to Chen for teachings of modifying the frequency of a VCO ($f_{VCO}$) into, for example, (N+1)/N times the frequency of the VCO ($f_{VCO}$). For at least this reason, Applicants respectfully submit that impermissible hindsight solely in view of the recited claims was used in maintaining this rejection.

For at least the above reasons, the rejection should be withdrawn with respect to claims 17, 18, 23, 24, 98, 99, 104, 105, 120 and 121.

Claims 32-43, 112-119, 122 and 123

Claim 32 recites, for example, "programming a frequency of a clock in the local oscillator". The clock is further recited in claim 32 with respect to "downconverting the received first signal with the clock" and "upconverting a second signal with the clock". Thus, for logical consistency, the alleged clock must satisfy all of the interrelationships as set forth in claim 32.

The Office Action at page 3 states that Meador at col. 4, lines 44-50 teaches these elements. Applicants respectfully disagree. Applicants respectfully submit that Meador



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describes "a reference oscillator and associated temperature compensation circuitry 103" in FIG. 1B. Meador at col. 2, lines 19-20. Meador at col. 4, lines 44-50 does not describe programming a frequency of a clock in the local oscillator. Instead, Meador describes a reference oscillator and associated temperature compensation circuitry 103 which is used to maintain the frequency of the reference oscillator independent of temperature. Changing ambient temperatures can affect circuitry such as the reference oscillator causing it to drift. See, e.g., Meador at col. 4, lines 63-67 which describes how the temperature compensation circuitry 103 "adjusts the reference oscillator 190 to its nominal frequency at room-temperature". However, Applicants respectfully submit that Meador does not describe, for example, programming a frequency of, for example, the 16.8 MHz reference oscillator 190. Moreover, the other cited documents do not make up for the teaching deficiencies of Meador.

Claim 112 recites, for example, "means for programming a frequency of the clock" in which "the clock" refers to "means for upconverting a second signal with the clock" and "means for downcoverting the received first signal with a clock". Thus, the arguments made with respect to claim 32 are also made with respect to claim 112.

For at least the above reasons, the Office Action at page 3 does not present a *prima facie* case of obviousness. Accordingly, Applicants respectfully submit that the rejection of claims 32--43, 112-119, 122 and 123 based on the alleged teachings of Meador in view of Gorsuch in view of Janc be withdrawn.

Claims 1-16, 19-22, 51-77, 85-90, 92-97, 100-103 and 164

Claims 1, 51 and 85 each recite, for example, "a local area network" and "a personal area network". Applicants respectfully request that the Examiner clarify if the Examiner is alleging that "a local area network" is a CDMA cellular network and "a personal area network" is wireless local area network (W-LAN) in compliance with IEEE 802.11.

Claim 51 recites, for example, "a controller to program one of the receiver and transmitter components to process communication protocol for a local area network or a personal area network".

The Office Action at page 3 states that Gorsuch teaches at least these elements at FIG. 6 and col. 10, lines 50-59. Col. 10, lines 50-59 are reproduced below:



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> If, on the other hand, a W-LAN is detected, switches 211A and 211B are switched to the position shown to utilize the W-LAN protocol converter 230 and transceiver 240, which are preferably IEEE 802.11-compliant. Note that the path switches 211A, 211B may be implemented in software or hardware, or a combination of hardware and software. Other functions may also be implemented in hardware and/or software which may further be shared by the W-LAN and CDMA sections where appropriate.

Gorsuch at col. 10, lines 50-59.

Applicants respectfully submit that, just because path switches 211A, 211B may be implemented in software or hardware, or a combination of hardware and software, it does not necessarily follow that Gorsuch teaches a controller to program, for example, path switches 211A, 211B. Moreover, the other cited documents do not make up for the teaching deficiencies of Gorsuch.

Claim 85 recites, for example, "means for programming one of the receiving means and transmitting means to process communication protocol for a local area network or a personal area network". Thus, the arguments made with respect to claim 51 are also made with respect to claim 85.

Claim 1 recites, for example, "programming one of the receiver and the transmitter to process communication protocol for a local area network or a personal area network". Thus, similar arguments can be made, if appropriate, with respect to claim 1 as was made with respect to claim 51.

For at least the above reasons, the Office Action at page 3 does not present a *prima facie* case of obviousness. Accordingly, Applicants respectfully submit that the rejection of claims 1-16, 19-22, 51-77, 85-90, 92-97, 100-103 and 164 based on the alleged teachings of Meador in view of Gorsuch in view of Jane be withdrawn.



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Conclusion

In view of at least the foregoing, it is respectfully submitted that the pending claims 1-24, 32-43, 51-77, 85-90, 92-105, 112-123 and 164 are in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

Please charge any required fees not paid herewith or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

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Respectfully submitted,

Michael T. Cruz
Reg. No. 44,636

McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661
Telephone: (312) 775-8084
Facsimile: (312) 775-8100



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